

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

**OLIVIA Y., *et al.*,  
For And On Behalf of All Others Similarly Situated**

**PLAINTIFFS**

**v.**

**CIVIL ACTION NO. 3:04CV251**

**HALEY BARBOUR,  
as Governor of the State of Mississippi, *et al.***

**DEFENDANTS**

**ORDER**

This case having come before the Court at the February 26, 2007 pretrial conference, the Court hereby ORDERS as follows:

1. Plaintiffs' Motion for Leave to File Sur-reply In Opposition To Defendants' Motion To Dismiss (document #377) is granted;
2. The parties advise the Court that they have been engaged in settlement negotiations. In order to facilitate settlement, the Court directs the parties to conduct further settlement discussions, beginning March 26, 2007 at 9:00 a.m. at a location in Jackson, Mississippi that is mutually agreeable to the parties. Such discussions shall continue during regular business hours for three consecutive business days, or at least until 5:00 p.m. March 28, 2007, unless settlement is reached prior to that time or it is agreed that a settlement can not be reached. Each party shall designate lead counsel who shall be present and participate personally in all such discussions. Each party shall insure that its representatives in the settlement discussions shall have full authority to make all decisions to bind that party for settlement purposes; or,

representatives with full settlement authority may be immediately available by telephone during the entire settlement conference. Federal Magistrate James C. Sumner will be available during settlement negotiations at the request of any party to participate and facilitate negotiations as needed.

3. The parties shall file all motions in limine no later than April 9, 2007, and all responses shall be filed no later than April 23, 2007;

4. The final pretrial conference is set on April 10, 2007 beginning at 9:30 a.m. and the parties shall submit to the district judge a proposed final pretrial order by this date; and

5. This action is set for trial commencing on May 7, 2007.

SO ORDERED, this 8<sup>th</sup> day of March, 2007.

/s/ Tom S. Lee  
UNITED STATES DISTRICT JUDGE

SUBMITTED BY:

/s Dewitt L. ("Rusty") Fortenberry

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